

NEBRASKA STATE BOARD OF HEALTH MEETING
MINUTES – March 21, 2011

ATTENDANCE NOTIFICATION. A regular meeting of the State Board of Health was called to order by the Chair, Gary Westerman, DDS, at 11:15 AM with a recess for lunch at 11:46 PM and called back to order at 1:00 PM on March 21, 2011 in conference room 1-Z of the Nebraska State Office Building in Lincoln. Copies of the agenda were mailed to board members, news media, and other interested parties prior to the meeting. The meeting was advertised on the Department of Health and Human Services website. Committee meetings were held at the same location from 9:15 am to 11:00 am. The following members were present: Daniel Bizzell, EdD; Janet Coleman; Edward Discoe, MD; Ted Evans, DVM; Diane Jackson, APRN; Ken Kester, Pharm D, JD; Dale Michels, MD; Debra Parsow; Roger Reamer, MBA; Rich Robinson, PE; Luisa Rounds, RN; Paul Salansky, OD;; Gary Westerman, DDS; and Daryl Wills, DC. Members not in attendance: Russell Hopp, DO; Wayne Stuberg, PhD, PT; John Tennity, DPM. Roger Reamer and Paul Salansky attended the morning sessions only. Staff attending: Ron Briel, Monica Gissler, David Montgomery, Anne Owens

HEPATITIS UPDATE. Kathryn White, MT, RN, BSN, presented on the Hepatitis Prevention Program. She provided several handouts on the ABC's of hepatitis, including definitions, trends, treatments, prevention, immunizations, and 2011 expectations. For more information, contact Monica.

RECESS. The Board of Health recessed at 11:45 AM for lunch. Motion made by Dr. Michels; seconded by Dr. Evans. All in favor by voice vote.

Dr. Westerman called the meeting back to order at 1:00 PM. The following members were in attendance: Daniel Bizzell, EdD; Janet Coleman; Edward Discoe, MD; Ted Evans, DVM; Diane Jackson, APRN; Ken Kester, PharmD, JD; Dale Michels, MD; Debra Parsow; Rich Robinson, PE; Luisa Rounds, RN; Gary Westerman, DDS; and Daryl Wills, DC.

APPROVAL OF AGENDA. There being no objections to the agenda for the March 21, 2011 meeting, the agenda was approved by consent calendar.

APPROVAL OF MINUTES. Dr. Wills clarified about the professional board application process and timeframe from the January meeting. Incumbents should state their intention to seek reappointment or not by June 1st, but they must submit their application and related paperwork by July 1st in order to allow time for staff to secure evaluations or do additional recruiting. The minutes from January 24, 2011 with corrections were approved by consent calendar.

CHAIRPERSON'S REPORT. Dr. Westerman reported on the following:

1. LB 898 stipulates that a copy of the Public Open Meeting law must be posted at meetings. We do have a copy available for inspection on the wall above the handouts table.

2. Dr. Westerman asked if anyone has attended any professional board meetings that they would like to report on.
 - Dr. Salansky attended the February 4th Board of Optometry meeting.
 - Ms. Parsow attended the January 27th Board of Funeral Directing and Embalming meeting. It was a very interesting meeting – the public member, Randal Bangert who is chair of the FDE Board was elected as Vice President of the International Conference of Funeral Service Examining Boards at a recent conference in California. Ms. Parsow asked if there is a way to recognize him as an outstanding public member. He's really gone above and beyond. Staff will work on a recognition proposal. Helen Meeks added that Nebraska has a history of public members who are chairs of their committees. The value of public members is recognized both by the Department and the boards by being appointed by their fellow board members as chair and to serve on and lead national committees.

There is a current 2011 Professional Board Meeting Schedule on the handout table. It is important that you let Monica know in advance when you plan to attend a meeting, and if you plan to attend the entire meeting or just a portion. If the meeting includes a working lunch, a meal will not be ordered for you, unless specific arrangements are made.

3. Several of our members have recently had their confirmation hearings with the Legislature. Congratulations to all of you who are now official members! Dr. Michels, Ms. Jackson, Ms. Parsow, and Dr. Stuber. Ms. Coleman and Dr. Wills are on the schedule.
4. Jackie Miller, DDS, Chief Administrator for Community Health in the Division of Public Health, has resigned, effective April 8th. Dr. Acierno added that he has worked with Jackie for the past four years and will miss her very much.
5. Dr. Acierno – Japan tsunami issue – some calls have come in regarding potential radiation concerns. We are staying on top of the situation, but presently have no concerns, we are not ordering anything from the CDC (like potassium or iodine). The flu is still at wide-spread, but decreasing. Type A is the most diagnosed. Elderly are the ones likely to be hospitalized. The flu report and other health reports are always on our website. Staff are busy as usual.

LEGISLATIVE UPDATE. Bryson Bartels, HHS Communications, provided a written update. The Legislative Session started January 5th and runs through June 8th. Mr. Bartels reviewed legislation having an impact on Health and Human Services, and answered questions. Handouts - LB 464 – percentile rates language is inflexible. LB 467 – suspends Medicaid if adults are not participating in Employment First. First page-Governor's bill. Pg 2 – LB 218 adds 25 more discretionary employees to HHS. LB 456 – HHS Cleanup bill. LB 591 – gets the statutes up to date with technology. For more information, call Bryson at 402/471-0541 or email at bryson.bartels@nebraska.gov. Ms. Coleman made a motion to receive these reports; second by Dr. Wills, all in favor by voice vote.

COMMITTEE REPORTS.

Credentialing Review (407) Committee – Ms. Coleman, Committee Chair, presented.

Ms. Coleman, Dr. Schaefer and Mr. Montgomery presented a briefing on the 407 process to the HHS committee. Sen. Campbell will probably have an interim study this summer.

Approval of the Board of Health report on the Genetic Counselors Credentialing Review as a whole. Ms. Coleman made a committee motion to reaffirm the Committee Report with the ancillary recommendations: Voting yes: 12 (Bizzell, Coleman, Discoe, Evans, Jackson, Kester, Michels, Parsow, Robinson, Rounds, Westerman, Wills); voting no: 0; not voting: 0. Motion carried.

The ABA legislation – the Board of Health sent a letter asking that it be held in committee until Dr. Schaefer's report was issued.

Dr. Michels made a motion to receive this Committee report; second by Ms. Parsow; all in favor by voice vote.

Rules and Regulations Committee – Dr. Kester, Committee Chair, reported on the following:

Kay Pinkley provided a Uniform Credentialing Act (UCA) regulation review. Dr. Kester said it was estimated that everything would be done by 2008 – a little optimistic. There was a lot of activity in 2008, a little less in 2009, very few in 2010. Everything will have to be re-reviewed because of LB 225. Helen Meeks explained that the UCA has been completely updated – the regulations are still being reviewed and rewritten, but the UCA is being implemented and everyone is still being credentialed. LB 225 updated the UCA on visa status and lawful presence. It passed with an emergency clause (effective immediately) on March 10, 2011. Anyone who was credentialed on or after March 10, 2011 will still have to be checked in the national immigration database.

Dr. Bizzell made a motion to receive this Committee report; second by Dr. Evans; all in favor by voice vote.

Professional Boards Committee. Mr. Robinson, Committee Member, reported the following:

1. Committee members reviewed the screening tool for public and professional members. All agreed the criteria were still appropriate. Then the interview questions were discussed. Members will review these further, and email suggested changes to the Committee.

2. In follow up to the January 24th discussion, the timeline for application submission was discussed. By June 1st incumbents should submit their statement of intent to seek reappointment; by July 1st their application must be received. Without this lead time, there is not adequate time to secure staff and peer evaluations, or recruit further. Monica will communicate this information to all incumbents and section administrators.
3. Interviews were conducted this morning. Mr. Robinson made a committee motion for the following professional board appointments:

John Davies, PA-C, of Pilger, for reappointment to the Physician Assistant Committee, for the term of April 16, 2011 – November 30, 2016.

Richard Bischoff, PhD, of Lincoln, for the Certified Marriage and Family Therapist member position on the Board of Mental Health Practice, for the partial term of March 21, 2011 through November 30, 2013.

Jeff Howorth, of Omaha, for the Public Member position on the Board of Medicine and Surgery for the partial term of March 21, 2011 through November 30, 2014.

Marilyn Lowe, CNM, of Omaha, for the Certified Nurse Midwife member position on the Board of Advanced Practice Registered Nurse, for the partial term of March 21, 2011 through November 30, 2012.

Voting yes: 12 (Bizzell, Coleman, Discoe, Evans, Jackson, Kester, Michels, Parsow, Robinson, Rounds, Westerman, Wills); voting no: 0; not voting: 0. Motion carried.

2. Meetings with Professional Board Chairs: For June, we will invite the chair of the following boards: Medicine and Surgery; Mental Health Practice; and Nursing.

Dr. Wills made a motion to receive this Committee report; second by Ms. Jackson; all in favor by voice vote.

Public Health, Education and Legislation Committee: Dr. Discoe, Committee Member, reviewed legislative bills discussed earlier in the day. There was also a handout prepared by Ron Briel identifying bills with any potential 407 impact. Refer to attachments for details.

Public Health Recognition: The Committee proposes that there be a mechanism to recognize an individual member of a board, someone who has gone above and beyond normal service, as explained earlier by Ms. Parsow.

Dr. Bizzell and Ms. Jackson attended the APRN conference in Kearney, and presented a recognition award.

Dr. Michels made a motion to receive this Committee report; second by Mr. Robinson; all in favor by voice vote.

UNFINISHED BUSINESS. Dr. Wills was disappointed in the quality of the meal at the Legislative Luncheon. I recommend that we offer to spend more money and have a better quality. Staff will take this under advisement.

NEW BUSINESS.

- Public comments: None.

PREPARATION FOR NEXT MEETING. The next regular Board of Health meeting will be June 20, 2011 at 1:00 p.m. in conference room 1-Z of the Nebraska State Office Building in Lincoln. September meeting – we have some communication regarding Omaha/Bellevue as a site. There will be more discussion at the June meeting.

ADJOURN. There being no further business, the meeting adjourned at 1:57 PM. Minutes taken were taken by Monica Gissler.

NOTE: If you would like to receive these minutes electronically instead of receiving a hard copy, please send a request to the email address below. Please also inform staff if you would like to be removed from this distribution list altogether.

If you would like any attachments mentioned in these minutes, or have other questions, please contact Monica Gissler, 402/471-6515, Fax 402/471-0383, or email at: monica.gissler@nebraska.gov.

4/4/11, mcg